



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,634	08/07/2007	Hermann Gruber	GRUBER-4 PCT	9684
25889	7590	09/30/2010		
COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576			EXAMINER MC'CARRY JR, ROBERT J	
			ART UNIT 3617	PAPER NUMBER
			MAIL DATE 09/30/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frederick Dorchak on September 28, 2010.

The application has been amended as follows:

The Specification has been amended to remove references to specific claims. As claims can be removed and amended during prosecution as well as numbered upon issue, the Specification should only refer to the features and not specific claim numbers.

Page 1, line 1 of the Specification; the term "of the type outlines in the introductory parts of claims 1 and 17" has been removed.

Page 3, line 9 of the Specification; the term "characterising part of" has been removed.

Page 3, line 9 of the Specification; the number "1" has been removed.

Page 3 line 9 of the Specification; the word "claim" has been removed and replaced with the word --claims--.

Page 3, line 21 of the Specification; prior to the word "characterizing" the word "the" has been removed and replaced with the word --certain--.

Page 3, line 21 of the Specification; after the word "features" the term "defined in claims 2 or 3" has been removed.

Page 3, line 29 of the Specification; prior to the word "features" the word --certain-- has been added.

Page 3, line 29 of the Specification; after the word "features" the phrase "defined in claim 4" has been removed.

Page 4, line 3 of the Specification; prior to the word "features" the word "The" has been removed and replaced with the word --Certain--.

Page 4, line 3 of the Specification; after the word "features" the phrase "defined in claim 5" has been removed.

Page 4, line 9 of the Specification; prior to the word "features" the word "the" has been removed and replaced with the word --certain--.

Page 4, line 3 of the Specification; after the word "features" the phrase "specified in claim 6" has been removed.

Page 4, line 13 of the Specification; after the word "described" the phrase "in claim 7" has been removed and replaced with the word --herein--.

Page 4, line 16 of the Specification; prior to the word "features" the word "the" has been removed and replaced with the word --certain--.

Page 4, line 16 of the Specification; after the word "features" the phrase "defined in claim 8" has been removed.

Page 4, line 19 of the Specification; prior to the word "features" the word "The" has been removed and replaced with the word --Certain--.

Page 4, line 19 of the Specification; after the word "features" the phrase "defined in at least one of claims 9 to 11" has been removed.

Page 4, line 25 of the Specification; prior to the word "features" the word "the" has been removed and replaced with the word --certain--.

Page 4, line 25 of the Specification; after the word "features" the phrase "specified in at least one of claims 12 to 14" has been removed.

Page 5, line 4 of the Specification; after the word "sleepers" the phrase "defined in claim 15" has been removed.

Page 5, line 7 of the Specification; prior to the word "features" the word "the" has been removed and replaced with the word --certain--.

Page 5, line 7 of the Specification; after the word "features" the phrase "described in claim 16" has been removed.

Page 5, line 14 of the Specification; the term "characterising part of" has been removed.

Page 5, line 14 of the Specification; the number "17" has been removed.

Page 5 line 14 of the Specification; the word "claim" has been removed and replaced with the word --claims--.

Page 5, line 24 of the Specification; prior to the word "features" the word "The" has been removed and replaced with the word --Certain--.

Page 5, line 24 of the Specification; after the word "features" the phrase "defined in at least one of claims 18 or 19" has been removed.

Page 5, line 27 of the Specification; prior to the word "features" the word "The" has been removed and replaced with the word --Certain--.

Page 5, line 27 of the Specification; after the word "features" the phrase "defined in at least one of claims 20 or 21" has been removed.

Page 6, line 2 of the Specification; prior to the word "features" the word "The" has been removed and replaced with the word --Certain--.

Page 6, line 2 of the Specification; after the word "features" the phrase "defined in at least one of claims 22 to 25" has been removed.

Page 6, line 9 of the Specification; after the word "bearing" the term "defined in claim 26 has been removed and replaced with the phrase --described herein--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT J. MCCARRY JR whose telephone number is (571)272-6683. The examiner can normally be reached on Monday through Friday 7:00am to 3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joseph Morano can be reached on (571) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. Joseph Morano/  
Supervisory Patent Examiner, Art Unit 3617

/R. J. McCarry Jr./  
Examiner, Art Unit 3617

RJM  
September 28, 2010